

# EXHIBIT 34

Debbra King

January 28, 2006

Reno, NV

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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IN RE PHARMACEUTICAL INDUSTRY AVERAGE) MDL NO. 1456

WHOLESALE PRICE LITIGATION ) CIVIL ACTION:

-----) 01-CV-12257-PBS

THIS DOCUMENT RELATES TO STATE OF )

NEVADA V. ABBOTT LABORATORIES, Et al,)

Case No. 02-CV-00260 (Nevada I) and )

STATE OF NEVADA V. AMERICAN HOME )

PRODUCTS, et al., Case No. )

02-CV-12086-PBS (Nevada II) )

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DEPOSITION OF DEBBRA KING

BE IT REMEMBERED that on Saturday, January 28, 2006,  
at the hour of 9:05 a.m. of said day, at the offices  
of Lionel, Sawyer and Collins, 50 West Liberty  
Street, Reno, Nevada, before me, Lesley A. Clarkson,  
certified court reporter, personally appeared DEBBRA  
KING, who was by me first duly sworn and was examined  
as a witness in said cause.

Henderson Legal Services  
(202) 220-4158

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1 Q. And approximately when was this?

2 A. This was '91 through -- no. It was '94  
3 through '99.

4 Q. If you could, could you explain a little  
5 more how the public employees benefit plan used AWP  
6 with respect to their prescription drugs?

7 A. The public employees benefit plan  
8 contracted with a prescription benefit manager to  
9 provide the pharmacy coverage for the state  
10 employees, and when they had gone out to bid, the  
11 bidders came back with various how they were going  
12 to cost out so that the state could figure out which  
13 the best bidder was.

14 Q. And then the various bids were different  
15 rates with AWP?

16 A. Right.

17 Q. Maybe perhaps minus a discount or  
18 something like that?

19 A. Yes.

20 Q. Do you know the name of the PBM that they  
21 contracted with?

22 A. I do not remember.

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1 Q. Do you know who at the public employees  
2 benefit plan would have been responsible for the  
3 drug, the drug reimbursement program?

4 A. Dave Thomas.

5 Q. Is he still employed by the state, do you  
6 know?

7 A. No, I don't believe so.

8 Q. Do you know where he is?

9 A. I believe he owns a gardening shop in  
10 Gardnerville, but that I heard like five years ago,  
11 so he may have moved on to bigger and better things.

12 Q. Other than the employees, the public  
13 employees benefit program, were you aware of any  
14 other state agencies that used AWP relating to their  
15 prescription drug programs?

16 A. No. And I don't remember how exactly that  
17 bid came out, ended up, and so I don't remember  
18 whether they actually went with an AWP pricing  
19 scheme for the state employees, I just don't  
20 remember.

21 Q. You just recall seeing the term somewhere  
22 in there?

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1 reimbursement of physician-administered drugs,  
2 correct?

3 A. Correct.

4 Q. Who would have been responsible for that?

5 A. I believe that would have been Coleen.

6 MR. LITOW: This is a good time to take a  
7 five, ten minute break.

8 (Recess taken.)

9 MR. LITOW: Go back on the record, please.

10 BY MR. LITOW:

11 Q. Going back to Exhibit King 002, just  
12 direct your attention to page NV 00192.

13 A. Yes.

14 Q. This appears to be a memo or a letter from  
15 Coleen Lawrence to Michael Willden and Steve Abba;  
16 is that correct?

17 A. Yes.

18 Q. Who Steve Abba?

19 A. Steve Abba is the fiscal analyst currently  
20 responsible, or was responsible for Medicaid and  
21 welfare at that time.

22 Q. And what would have been his role in

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1 relation to this particular state plan amendment?

2 A. As I indicated earlier, the fiscal  
3 analysts were responsible for the review of the  
4 state agency operations, and so -- let me see. This  
5 was in January of '03, so he would have, A, already  
6 had our budget which had this in there, and B, since  
7 we were already implementing it, been looking at  
8 whether or not we had included it in our budget.

9 So he analyzes the information we provide,  
10 looks at what we are doing, what other states are  
11 doing, so on and so forth, and then prepares write-  
12 ups for the legislators to make their decisions.

13 Q. When you say prepares documents for the  
14 legislators to make their decisions, do the  
15 legislators have to make a decision with respect to  
16 the particular state plan amendment, or was that  
17 done, the determination done administratively?

18 A. In Nevada the determination is done  
19 administratively. However, when we make a change  
20 like this, it impacts our budget, and the  
21 legislature approves our budget. So in that way  
22 they sort of review it retrospectively in this case.

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1 In some cases it's in the budget and it's not  
2 implemented yet, so they would review it  
3 prospectively.

4 Q. So the legislators would have input or  
5 concern insofar as the particular state plan  
6 amendment affected the budget; is that correct?

7 A. Correct -- well, depending upon the  
8 individual legislator may have concern with respect  
9 to the impact of services to Medicaid recipients.

10 Q. I believe you also testified that it was  
11 your understanding that the health division and the  
12 mental health division were involved in the  
13 purchasing of prescription drugs; is that correct?

14 A. Yes.

15 Q. Do you recall any specific individuals  
16 with those divisions that would have been  
17 responsible for that aspect of their programs?

18 A. I do not remember their names.

19 Q. Do you remember like their positions? Do  
20 you know which position within the division would  
21 have been responsible for that?

22 A. No. The only -- no, I really don't. I